

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit:	3728
Mullins et al.)		
Serial No.: 10/620,750)	Examiner:	Gregory Pickett
Filed: 07/15/2003)		
For: Corrosive Vapor)	Att'y Docket No.:	P02716
Absorption And)		
Neutralization System)		

Assistant Commissioner for Patents
Washington, D.C. 20231

Election / Restriction

Reconsideration is respectfully requested.

In response to a restriction requirement set forth in an office action mailed 05/02/2006, a provisional election with traverse is made by applicant.

Applicant respectfully submits that in the present case, the requirement for restriction is not proper. According to MPEP § 803, “if the search and examination of an entire application can be made without serious burden, the examiner **must** examine it on the merits, even though it includes claims to independent or distinct inventions.” (emphasis added) In the present case, the claims in each of the groups identified by the Examiner clearly comprise similar elements that will not place serious burden on the examiner.

Although it will place a slight burden on the Examiner, Applicant does not believe that examining Claims 21-24 (in addition to the provisionally elected Claims 1-20) will place a serious burden on the Examiner. In fact, by requiring the inventor to restrict and to file two divisional patents in this case, the workloads to the Examiner and to the USPTO are greatly increased. Also, the costs to the small-entity inventor (filing, examining, issuing, and maintaining three patents instead of one) are unnecessarily increased. We would greatly appreciate the Examiner’s discretion in this matter.

In view of these matters, it is respectfully requested that the restriction requirement be withdrawn and that each of the claims presently pending in this application be examined.

If the Examiner is not persuaded and persists with the restriction requirement **Applicant provisionally elects Claims 1-20.**

If there are any fees incurred by this Amendment, please charge such fees to our Deposit Account NO. 50-1887, referencing our Docket No. P02716.

Respectfully submitted,

Date: May 12, 2006

/Daphne G Foley/

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